

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

CYNTHIA REDD, individually and on  
behalf of all others similarly situated,

Plaintiff,

v.

AMAZON WEB SERVICES, INC.,

Defendant.

Case No. 1:22-cv-06779

Hon. Elaine E. Bucklo

**DECLARATION**

I, Ryan Spear, hereby declare as follows:

1. I am an attorney with Perkins Coie LLP, which represents defendant Amazon Web Services, Inc. (“AWS”) in this litigation. I am over the age of 18 and competent to testify as to the matters in this Declaration. I make this Declaration based on my personal knowledge.

2. Perkins Coie actively tracks lawsuits under the Illinois Biometric Information Privacy Act (“BIPA”). As a result of that effort, I am aware that more than 1,500 putative class actions have been filed under BIPA.

3. Attached as **Exhibit A** is a true and correct copy of a publicly available document published in October 2021 by the U.S. Chamber of Commerce’s Institute for Legal Reform and titled *A Bad Match: Illinois and the Biometric Information Privacy Act*. This document was retrieved at my direction from the Institute’s website and is accessible at <https://instituteforlegalreform.com/wp-content/uploads/2021/10/ILR-BIPA-Briefly-FINAL.pdf>.

4. Attached as **Exhibit B** is a true and correct copy of the publicly available “Amazon Rekognition FAQs” page. This document was retrieved at my direction from the AWS website and is accessible at <https://aws.amazon.com/rekognition/faqs/?nc=sn&loc=7>.

5. Attached as **Exhibit C** is a true and correct copy of the publicly available AWS Customer Agreement. This document was retrieved at my direction from the AWS website and is accessible at <https://aws.amazon.com/agreement/>.

6. Attached as **Exhibit D** is a true and correct copy of the publicly available AWS Service Terms. This document was retrieved at my direction from the AWS website and is accessible at <https://aws.amazon.com/service-terms/>.

7. Attached as **Exhibit E** is a true and correct copy of a publicly available document published by AWS and titled *Using AWS in the Context of Common Privacy and Data Protection Considerations*. This document was retrieved at my direction from the AWS website and is accessible at [https://d1.awsstatic.com/whitepapers/compliance/Using\\_AWS\\_in\\_the\\_context\\_of\\_Common\\_Privacy\\_and\\_Data\\_Protection\\_Considerations.pdf](https://d1.awsstatic.com/whitepapers/compliance/Using_AWS_in_the_context_of_Common_Privacy_and_Data_Protection_Considerations.pdf).

8. Attached as **Exhibit F** is a true and correct copy of the publicly available “AWS Data Privacy FAQ” page. This document was retrieved at my direction from the AWS website and is accessible at <https://aws.amazon.com/compliance/data-privacy-faq/>.

9. Attached as **Exhibit G** is a true and correct copy of a Memorandum Opinion and Order issued in *Hogan v. Amazon.com, Inc.*, No. 21CH02330 (Ill. Cir. Ct. Dec. 6, 2022).

10. Attached as **Exhibit H** is a true and correct copy of a Report of Proceedings in *Guszkiewicz v. Beelman Truck Co.*, No. 2021L001248 (Ill. Cir. Ct. Nov. 2, 2022).

I declare under penalty of perjury that the foregoing is true and correct.

EXECUTED at Seattle, Washington, this 17th day of January, 2023.

/s/ Ryan Spear  
Ryan Spear